

AMENDMENT AND RESPONSE

PAGE 15

Serial No.: 09/833,780

Filing Date: April 12, 2001

Attorney Docket No. 100.168US01

Title: AUTOMATIC PERMANENT VIRTUAL CIRCUIT CONNECTION ACTIVATION FOR CONNECTION ORIENTED NETWORKS

REMARKS

Applicant has reviewed the Office Action mailed on March 30, 2005 as well as the art cited. Claims 1, 6, 8, 10, 11, 15, 17, 19, 20, 24, 28, 29, 33, 37, 38, 42, 46, 48, 49, 52, and 54 have been amended. Claims 5, 7, 14, 16, 23, 25, 32, 34, 41, 45, 50 and 51 have been cancelled. No new matter has been added. As a result, claims 1-4, 6, 8-13, 15, 17-22, 24, 26-31, 33, 35-40, 42-44, 46-49 and 52-54 are currently pending in this application. Applicant reserves the right to reintroduce the subject matter of the cancelled claims in a continuing application at a later date.

Information Disclosure Statement

Applicant respectfully requests that a copy of the 1449 form, listing all references that were submitted with the Information Disclosure Statement filed on October 7, 2003, marked as being considered and initialed by the Examiner, be returned with the next official communication.

Rejections Under 35 U.S.C. § 102

Claims 1-6, 9, 11-15, 18, 20-24, 26, 27, 29-33, 35, 36, 38-40, 42-44, 47, 49, 50 and 53 were rejected under 35 USC § 102(b) as being anticipated by Stone et al., (U.S. Patent No. 6,041,057). Applicant asserts that in light of the amendments and cancellation of claims, this rejection is now moot.

Claim 1 has been amended to include allowable limitations of claim 7 and any intervening claims. As a result claim 1 is in allowable form. Claims 2-4 and 6 depend from and further define allowable claim 1 and as a result are also allowable. Claim 5 is cancelled.

Claim 9 depends from allowable claim 8 that has been rewritten in independent form including any intervening claims. As a result claim 9 is also allowable.

Claim 11 has been amended to include allowable limitations of claim 16 and any intervening claims. As a result claim 11 is now in allowable form. Claim 12, 13, 15 and 18 depend from and further define allowable claim 11 and are also allowable. Claim 14 is cancelled.

AMENDMENT AND RESPONSE

PAGE 16

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Claim 20 has been amended to include allowable limitations of claim 25 and any intervening claims. As a result claim 20 is now in allowable form. Claims 21, 22, 24, 26, and 27 depend from and further define allowable claim 20 and are also allowable. Claim 23 is cancelled.

Claim 29 has been amended to include allowable limitations of claim 34 and any intervening claims. As a result, claim 29 is now in allowable form. Claims 30, 31, 33, 35 and 36 depend from and further define allowable claim 29 and are also allowable. Claim 32 is cancelled

Claim 38 has been amended to include allowable limitations of claim 19 and should also be allowable. Claims 39 and 40 depend from and further define allowable claim 38 and should also be allowed.

Claim 42 has been amended to include allowable limitations of claim 45 and any intervening claims. As a result claim, 42 is now in allowable form. Claims 43 and 44 depend from and further define allowable claim 42 and are also allowable.

Claim 47 depends from allowable claim 46 that has been rewritten in independent form including any intervening claims. As a result claim 47 is also allowable.

Claim 49 has been amended to include allowable limitations of claim 51 and any intervening claims. As a result, claim 49 is now allowable. Claim 53 depends from and further defines allowable claim 49 and is also allowable. Claim 50 has been amended.

Rejections Under 35 U.S.C. § 103

Claim 41 was rejected under 35 USC § 103(a) as being unpatentable over Stone in view of Pickering "Wireline Access Evolution". Applicant respectfully notes that claim 41 is not pending in this application as claim 41 was cancelled in an amendment and response filed on February 13, 2004. As a result, this rejection is now moot.

Allowable Subject Matter

Applicant thanks the Examiner for the indication that claims 7, 8, 10, 16, 17, 19, 25, 28, 34, 37, 45, 46, 48, 51, 52 and 54 are allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

AMENDMENT AND RESPONSE**PAGE 17**

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Attorney Docket No. 100.168US01

Title: AUTOMATIC PERMANENT VIRTUAL CIRCUIT CONNECTION ACTIVATION FOR CONNECTION ORIENTED NETWORKS

Claim 1 has been amended to include the allowable limitations of claim 7 and any intervening claims. Claim 7 has been cancelled.

Claims 8, 10, 17, 19, 28, 37, 46, 48, 52 and 54 have been rewritten in independent form including all of the limitation of the base claim and any intervening claims.

Claim 11 has been amended to include the allowable limitations of claim 16 and any intervening claims. Claim 16 has been cancelled.

Claim 20 has been amended to include the allowable limitations of claim 25 and any intervening claims. Claim 16 has been cancelled.

Claim 29 has been amended to include the allowable limitations of claim 34 and any intervening claims. Claim 34 has been cancelled.

Claim 40 has been amended to include the allowable limitations of claim 45 and any intervening claims. Claim 45 has been cancelled.

Claim 49 has been amended to include the allowable limitations of claim 51 and any intervening claims. Claim 51 has been cancelled.

AMENDMENT AND RESPONSE

PAGE 18

Serial No.: 09/833,780

Filing Date: April 12, 2001

Attorney Docket No. 100.168US01

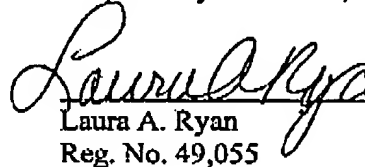
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CONCLUSION

Applicant respectfully submits that claims 1-4, 6, 8-13, 15, 17-22, 24, 26-31, 33, 35-40, 42-44, 46-49 and 52-54 are in condition for allowance and notification to that effect is earnestly requested. If necessary, please charge any additional fees or credit overpayments to Deposit Account No. 502432.

If the Examiner has any questions or concerns regarding this application, please contact the undersigned at 612-455-1685.

Respectfully submitted,

Date: 15 June 2005
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